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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ) Group Art Unit: N/A  
)  
Funk, et al. ) Examiner: N/A  
)  
Serial No.: 09/881,658 ) Attorney File No.: 26372-00001  
)  
Filed: 06/15/2001 )  
)  
For: High Performance Email Relay System Technical Field

TRANSMITTAL OF PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b) AND  
RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING 37 CFR 1.8

I hereby certify that this document and any documents indicated as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231

on: March 13, 2002

By: Jean A. Burns  
Name: Jean A. Burns

Responding to the Notice to File Missing Parts of Application -- Filing Date Granted, mailed 8/10/01, the following are enclosed:

- a) Petition to Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b);
- b) Combined Declaration and Power of Attorney;
- c) Check No. 3313 in the amount of \$684.00. The check is payment for: the filing fee and the surcharge;
- d) Check No. 43621 in the amount of \$640.00 as payment for the Petition for Revival fee;
- e) Copy of the Notice to File Missing Parts of Application;
- f) Postcard Receipt.

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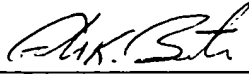
APR 02 2002

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Any additional fees to enter this response may be charged to deposit account no. 50-0792.

Respectfully submitted,

Gibson, Dunn & Crutcher LLP

By:   
Glenn K. Beaton  
Registration No. 30,995  
1801 California St., Suite 4100  
Denver, CO 80202-2641  
(303) 298-5786

Date: March 13, 2002

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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/881,658	06/15/2001	John Funk	26372-00001

CONFIRMATION NO. 6965

GIBSON, DUNN & CRUTCHER LLP  
Suite 4100  
1801 California Street  
Denver, CO 80202-2641

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## FORMALITIES LETTER



\*OC00000006411862\*

Date Mailed: 08/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$264.
  - \$144 for 16 total claims over 20.
  - \$120 for 3 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 684.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/26/2002 AWONDAF1 00000005 500792 09881658  
02 FC:205 65.00 DP  
03 FC:203 144.00 DP  
04 FC:202 126.00 DP  
05 FC:201 349.00 DP  
21.00 CH